

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DANIEL SMITH,

Plaintiff,

v.

TAMMY NIKULA, DENNIS CHERRY,  
PAT GLEBE, JOHN DOE, JANE DOE,

Defendants.

No. C12-5774 RBL/KLS

**REPORT AND RECOMMENDATION**  
**Noted For: May 31, 2013**

Before the Court is the parties' Stipulation for Order of Dismissal. ECF No. 25. The parties stipulate to the dismissal of this action with prejudice pursuant to the terms of their settlement agreement, with the parties to bear their own costs and fees. *Id.*

Accordingly, it is recommended that this case be **DISMISSED WITH PREJUDICE**, with the parties to bear their own costs and fees.

Pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), the parties shall have fourteen (14) days from service of this Report to file written objections. See also Fed. R. Civ. P. 6. Failure to file objections will result in a waiver of those objections for purposes of appeal. *Thomas v. Arn*, 474 U.S. 140 (1985). Accommodating the time limit imposed by Rule 72(b), the Clerk is directed to set the matter for consideration on **May 31, 2013**, as noted in the caption.

**DATED** this 16th day of May, 2013.



Karen L. Strombom  
United States Magistrate Judge